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12 IN THE UNITED STATES DISTRICT COURT  
13 FOR THE NORTHERN DISTRICT OF CALIFORNIA

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15 UNITED STATES OF AMERICA, ) No. CR-07-00488 CW  
16 vs. )  
17 Plaintiff, ) STIPULATION AND ORDER  
18 ) CONTINUING STATUS HEARING  
19 ) AS MODIFIED  
20 ANDRE MATTHEWS, et al. ) Hearing Date: September 26, 2007  
21 ) Requested Date: October 24, 2007  
22 Defendant. )  
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It is hereby stipulated that the STATUS hearing date of September 26, 2007 be continued to October 24, 2007 at 2:30 p.m. In addition, the parties stipulate and agree that time should be excluded between September 26, 2007 and October 24, 2007 due to the ongoing investigation by defense counsel. Approximately 4000 pages of discovery have been produced to defense counsel in electronic form. Not all of this has been printed. Seven CD-ROM's of discovery are forthcoming this week. The parties understand the court's preference for setting of motions by stipulation; however, the parties are not in a position to assess the time needed for discovery review or motions preparation. The parties will attempt to propose a motions schedule by stipulation prior to the requested next appearance.

1       The parties agree that the ends of justice served by the continuance requested herein  
2 outweigh the best interest of the public and the defendant in a speedy trial because the failure to  
3 grant the continuance would deny the counsel for the defendant the reasonable time necessary  
4 for effective preparation, taking into account the exercise of due diligence. Time should  
5 therefore be excluded pursuant to 18 U.S.C. §§ 3161(h)(8)(A) and (B)(iv).

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Date

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/s/  
John Paul Reichmuth  
Assistant Federal Public Defenders  
Counsel for defendant Johnson

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Date

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/s/  
Richard Tamor  
Counsel for defendant Bacon

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Date

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/s/  
Michael Hinckley  
Counsel for defendant Green

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Date

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/s/  
Garrick Lew  
Counsel for defendant Alexander

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Date

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/s/  
Gail Shifman  
Counsel for defendant Kautzman

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/s/  
John Hemann  
Counsel for defendant Matthews

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/s/  
Laura Robinson  
Counsel for defendant Enriquez

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Date

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/s/  
Mark Goldrosen  
Counsel for defendant Reyes

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1 Date

\_\_\_\_\_  
/s/  
Seth Chazin  
Counsel for defendant Williams

4 Date

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/s/  
Keslie Stewart  
Assistant United States Attorney

6 I hereby attest that I have on file all holograph signatures for any signatures indicated by a "conformed" signature (/S/)  
 within this efiled document.

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/S/ John Paul Reichmuth  
Counsel for Defendant Alicia Johnson

### ORDER

10 Based on the reasons provided in the stipulation of the parties above, the Court hereby  
 11 finds that the ends of justice served by the continuance requested herein outweigh the best  
 12 interest of the public and the defendant in a speedy trial because the failure to grant the  
 13 continuance would deny the counsel for the defendant the reasonable time necessary for effective  
 14 preparation, taking into account the exercise of due diligence. The Court makes this finding  
 15 because the parties continue to investigate the new discovery, and because the parties are  
 16 engaging in settlement discussions.

17 Based on these findings, IT IS HEREBY ORDERED THAT the STATUS hearing date of  
 18 September 26, 2007 be continued to October 24, 2007 at **2:00 p.m.** and that time be excluded  
 19 from September 26, 2007 to October 24, 2007 pursuant to 18 U.S.C. §§3161 (h)(8)(A) and  
 20 (B)(iv).

21 IT IS SO ORDERED.

23 9/26/07



24 Date

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Honorable Claudia Wilken  
Judge, United States District Court  
Northern District of California